

**Committee on Ways and Means  
Subcommittee on Human Resources  
Committee Report on H.R. 2873**

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## **I. INTRODUCTION**

### **A. PURPOSE AND SCOPE**

The Committee bill reauthorizes and makes improvements to the Promoting Safe and Stable Families program, the primary Federal resource for services to prevent child abuse and neglect; creates a competitive grant program to establish and expand networks of mentoring services for the children of prisoners; and creates an education voucher program for youth aging out of foster care.

The Promoting Safe and Stable Families program (PSSF) expired at the end of fiscal year 2001. The Committee bill extends PSSF through fiscal year 2006 and authorizes an increase of \$200 million per year. The mentoring children of prisoners program would be an addition to the PSSF program, and is authorized for five fiscal years, initially at \$67 million per year. Finally, the Committee bill authorizes an independent living education voucher program for five fiscal years as an additional, separately appropriated \$60 million per year program within the John H. Chafee Foster Care Independence program.

The primary improvements made to the PSSF program include adding two activities to the list of allowable activities: (1) strengthening parental relationships and promoting healthy marriages; and (2) supporting Infant Safe Haven programs designed to provide a safe way for parents to relinquish unwanted newborns. The Committee bill also adds focus to research, evaluation, and technical assistance performed or directed each year by the U.S. Department of Health and Human Services (the Secretary) and requires the Secretary to report to the Congress every two years on its activities in this respect. Finally, the Committee bill allows funds unused by States to be redirected to other States, maximizing the resources available to provide program services nationwide.

### **B. BACKGROUND AND NEED FOR LEGISLATION**

In response to growing foster care caseloads and concerns that too many children languished in foster care, Public Law 105-89, the Adoption and Safe Families Act of 1997 (ASFA), imposed rigorous deadlines for States and families to address parental problems before a Court must consider whether or not to free children for adoption.

The Promoting Safe and Stable Families program has become an increasingly important resource in responding to the heightened demands on State child welfare systems resulting from ASFA. Originally created by the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66) and reauthorized by ASFA, the program supports State efforts to provide four categories of services: (1) family preservation services to families in crisis that might prevent children from being removed from their home and placed into foster care; (2) family support services to prevent child maltreatment from occurring in potentially vulnerable families; (3) time-limited family reunification services to provide intensive assistance to families during the 15-month time period

after children have been removed from their homes until the State must ask the Courts to address the parents' rights to retain custody of their children; and (4) adoption promotion and support services to promote adoptions and support families adopting children from foster care.

The findings and purposes section of the legislation emphasizes the importance of providing a continuum of services to families, from preventing abuse to supporting adoptive families. At each stage in this continuum, States use Promoting Safe and Stable Families funds to support and assist fragile families. The extension and expansion of the program maintains and augments the Committee's commitment to providing help to these families in the coming years.

While the Committee has begun to receive information about family preservation programs, one of the four categories of required services of the Promoting Safe and Stable Families program, little is known about the other areas of service. This is especially true of the two categories added by the Adoption and Safe Families Act -- time-limited family reunification and adoption promotion and support services. The revised research, evaluation, and technical assistance priorities are intended to provide States and the Congress with better information about the most effective of the wide range of service options available under the program. Specifically, the Secretary is asked to give priority consideration to research and technical assistance in areas such as substance abuse treatment partnerships with the child welfare system under the time-limited family reunification category, and how to assist families after they have adopted children from foster care under the adoption promotion and support category.

A positive consequence of ASFA has been the impressive increase in the number of children adopted from foster care -- an additional 133,000 children since the law was enacted or a 56 percent increase over the previous three-year period starting in 1995. However, large numbers of families adopting young children may face unanticipated challenges as these children grow into adolescence. The issue of substance abuse treatment needs in the child welfare system also is of critical importance. A 1998 GAO report revealed that two-thirds of the children in foster care observed had one or more parent who was a substance abuser; most such parents had been abusing drugs or alcohol for five or more years. GAO also reported that foster care agencies face challenges in addressing parental substance abuse for a variety of reasons. The prioritizing of these two categories of service -- adoption promotion and support and time-limited family reunification -- for research and technical assistance under this legislation is intended to identify promising practices and translate that information into useful guidance to States.

The mentoring children of prisoners initiative responds to complex issues for children and families arising from large numbers of incarcerated parents. Nearly 2 million children had a parent in jail between 1991 and 1999. Mentoring programs, involving one-on-one relationships of adults matched with children of prisoners, have demonstrated promising results. These relationships can help alleviate the trauma and stigmatization of having a parent in prison and reduce the incidence of negative adolescent behaviors such as drug and alcohol abuse and school absenteeism.

The new education vouchers initiative seeks to offer additional assistance to youth aging out of foster care who are likely to experience difficulty as they transition to independence after

age 18. According to HHS data, more than 18,500 children aged out of foster care in 1999 without being adopted. These children must overcome not only the disadvantage of having spent time in the foster care system, most likely in numerous placements, but they also have to find their way in the world without the support of a family. Funding for the Foster Care Independence Program, which provides States with grants for services to assist these youth, has grown steadily over time, rising from \$70 million to \$140 million per year as a result of legislation enacted in 1999. This new program targets still more program funding increases specifically to the education and training needs of this population.

### **C. LEGISLATIVE HISTORY**

On September 25, 2001 the Subcommittee on Human Resources ordered favorably reported, with amendment, to the full Committee H.R. 2873, the "Promoting Safe and Stable Families Amendments of 2001", on a voice vote with a quorum present. On October 31, 2001 the Full Committee on Ways and Means ordered favorably reported H.R. 2873, on a voice vote with a quorum present.

The Subcommittee on Human Resources held a hearing on May 10, 2001 (Serial 107-18) to receive comments on the Promoting Safe and Stable Families program. Testimony at the hearing was presented by program administrators, advocates, researchers and Members of the U.S. House of Representatives. On July 11, 2001 the Subcommittee conducted a hearing on Bush Administration budget proposals which included testimony from an official from the U.S. Department of Health and Human Services on the President's proposals to extend and amend the Promoting Safe and Stable Families program, provide for grants to support mentoring children of prisoners, and fund new education vouchers for children aging out of foster care (Serial 107-36). In the 106th Congress, the Subcommittee held a number of hearings on child welfare issues: April 22, 1999 on Child Protection Oversight (Serial 106-25); February 27, 2000 on the Child Protection Review System (Serial 106-84); March 23, 2000 on Child Protection Issues (Serial 106-63); July 20, 2000 on Increasing State Flexibility in Use of Federal Child Protection Funds (Serial 106-98); and October 3, 2000 on H.R. 5292, the "Flexible Funding for Child Protection Act of 2000" (Serial 106-73). Testimony was presented by Administration officials, academic witnesses, researchers, program administrators, and advocacy groups.

## **II. EXPLANATION OF PROVISIONS**

### **1. Short Title; Table of Contents**

#### Present Law

No provision.

#### Explanation of Provision

The Act is named the "Promoting Safe and Stable Families Amendments of 2001."

### Reason for Change

Not Applicable.

## TITLE I. PROMOTING SAFE AND STABLE FAMILIES

### Section 101. Findings and Purpose

#### Present Law

Current law includes no findings. The purposes of the Promoting Safe and Stable Families program are to encourage and enable each State to develop, establish or expand, and operate a program of family preservation services, community-based family support services, time-limited family reunification services, and adoption promotion and support services.

#### Explanation of Provision

The Promoting Safe and Stable Families Amendments of 2001 adds findings to illustrate the need for the program in addressing issues faced by families at risk of abuse and neglect, and those adopting children from foster care. The Congress finds that: (1) family preservation programs provide extensive and intensive services to families in crisis; (2) family support programs directed at specific vulnerable populations have had positive effects; (3) permanency placement timelines established by the Adoption and Safe Families Act of 1997 (ASFA) have made the prompt availability of services to families important to successful family reunification; and (4) a rapid increase in the number of adoptions since enactment of ASFA has created a growing need for post-adoption services and for service providers with knowledge and skills specific to the needs of adoptive families.

The Committee bill also adds purposes to clarify the goals and expectations of the Congress in reauthorizing the program. Specifically, the purposes include the coordination of services offered under the program; preventing child maltreatment among at-risk families through supportive family services; assuring children's safety within the home; preserving intact families where children have been maltreated, when problems can be addressed effectively; addressing problems of families whose children have been placed in foster care so that reunification may occur in a safe and stable manner; and supporting adoptive families by providing necessary support services for them to make a lifetime commitment to their children.

#### Reason for Change

Under current law, there is only general language stating the purpose of the program. The addition of specific findings and purposes will help reinforce the need for coordination of services and the goals of each of the four categories of services. While States retain broad authority to design programs, the revised purposes make clear that individual programs should be tailored to

address the goals identified for each category of services States are expected to provide using program funds.

## Section 102. Definitions of Family Preservation and Family Support Services

### Present Law

Family preservation services are defined as services for children and families (including adoptive and extended families) at risk or in crisis, including services to return children to their families from foster care, when safe and appropriate, or to help children be placed for adoption, with a legal guardian, or other planned permanent arrangement. They also include preplacement preventive services, such as intensive family preservation programs for children at risk of foster care placement; services designed to provide followup care to families after a child has been returned home; respite care for parents and other caregivers; and services designed to improve parenting skills with respect to such issues as child development, family budgeting, stress management, nutrition, and health.

Family support services are defined as community-based services that promote the safety and well-being of children and families (including adoptive, foster, and extended families); increase confidence in and competence of parenting skills; afford children a safe, stable, and supportive family environment; and otherwise enhance child development.

### Explanation of Provision

The provision amends the definition of family preservation services to include infant safe haven programs that provide a way for a parent to safely relinquish a newborn infant at a safe haven designated pursuant to State law.

The legislation also amends the definition of family support services to include strengthening parental relationships and promoting healthy marriages.

### Reason for Change

According to the Child Welfare League of America, as of August 2001, 35 States have passed laws to establish “safe havens,” where parents in crisis may relinquish newborns without criminal prosecution. However, few States have provided funding to disseminate information and publicize the availability of these programs, created to prevent infant abandonments that frequently end in the child’s death. Allowing States to use Promoting Safe and Stable Families funds to support such programs is consistent with family preservation goals that include providing services to place children for adoption, with a legal guardian, or in another planned permanent living arrangement.

There is a large body of evidence showing that children fare best on a broad range of measures when raised by married parents. For example, children raised by married parents are

more likely to do well in school, to avoid poverty, and to escape abuse and neglect. Therefore, allowing States to use family support funds under the program to strengthen parental relationships and promote healthy marriages is consistent with the program's goal of promoting the safety and well-being of children and families.

#### Section 103. Reallotments

##### Present Law

No provision.

##### Explanation of Provision

The legislation provides that any program funds allotted which a State certifies it will not use are to become available for reallotment to other States under the existing distribution formula.

##### Reason for Change

In recent years, certain Promoting Safe and Stable Families funds available to the States have not been used and have remained in the U.S. Treasury. Funds may not be used by States if they are unable to meet the Federal matching requirements, or are using State funds to pursue the goals of the Promoting Safe and Stable Families program. Rather than allow some portion of this capped federal funding to remain unused, reallotment allows the Secretary to maximize the full resources available for program purposes.

#### Section 104. Payments to States

(a) In General (Special Funding to States, fiscal year 1994)

##### Present Law

A special funding rule was enacted for fiscal year 1994 that allowed States additional funding for initial program plan development. States that in fiscal year 1994 submitted a proper application for funds to the Secretary were entitled to funding (up to \$1 million) for the cost of development and submission of their 5-year program plan plus the lesser of 75 percent of State expenditures for services to children in families under the new plan, or the regular State allotment minus the amount paid to the State for program plan development.

##### Explanation of Provision

This provision removes all reference to the special funding rule applicable solely to fiscal year 1994.

### Reason for Change

This is a technical change to remove obsolete references in the statute.

### (b) Conforming Amendments

### Present Law

Except for the special funding rule for fiscal year 1994, States are entitled to the lesser of 75 percent of total expenditures for activities under the Promoting Safe and Stable Families program or the regular State allotment for the fiscal year.

### Explanation of Provision

All references to the special funding rule applicable solely to fiscal year 1994 are removed, but otherwise the current funding formula is maintained.

### Reason for Change

This is a technical change to remove obsolete references in the statute.

### Section 105. Evaluations, Research, and Technical Assistance

### Present Law

The Secretary is required to evaluate the effectiveness of programs designed to meet specific purposes; develop evaluation criteria in consultation with appropriate parties, such as State child welfare agencies and private, non-profit agencies providing child welfare services; consult other persons with recognized expertise in the evaluation of child and family services; and develop procedures to coordinate State and Federal evaluations of program effectiveness.

Current law has no provisions concerning research priorities or defining technical assistance the Secretary must provide.

### Explanation of Provision

The legislation creates a new section for Evaluations, Research, and Technical Assistance, and adds new criteria for providing research grants and offering technical assistance. The provision instructs the Secretary to evaluate and report biennially to Congress on the effectiveness of programs. The Secretary is instructed to give priority to the following research and evaluation topics: promising program models, particularly in the areas of time-limited family reunification and adoption services; multi-disciplinary service models addressing parental substance abuse; effectiveness of approaches directed at families with specific problems and children in specific age ranges; and outcomes of adoptions finalized since the enactment of the 1997 Adoption and Safe



Families Act.

The Secretary is instructed to provide technical assistance to help States and Indian tribes develop research-based protocols for identifying families at risk of abuse and neglect that can be used by caseworkers in the field; develop treatment models that address needs of at-risk families (particularly families with substance abuse issues); implement programs with well-articulated plans of how the intervention will result in desired changes among at-risk families; establish ways to ensure service provision matches the treatment model; and establish ways to ensure post-adoption services meet the needs of individual families and develop models to reduce the disruption rates of adoption.

The Secretary must submit a report by April 1 of every other year, beginning in 2003, describing the nature, funding level, and status of ongoing evaluations as well as technical assistance provided to States.

#### Reason for Change

Much is expected of State and local child welfare agencies in protecting children and supporting families at risk. Yet without the most up-to-date and insightful research on best practices and outcomes, agencies will have difficulty designing and implementing effective and efficient programs. To address such concerns, the legislation's targeting of research, evaluations, and technical assistance is intended to assist the Secretary in translating research findings into useful instruction to State child welfare agencies.

Under current law, each year the Secretary receives \$6 million in Promoting Safe and Stable Families funds to conduct research and evaluate the effectiveness of State initiatives funded by the program. Evaluations provided to date include an evaluation of intensive family preservation programs and an overview of how States use Promoting Safe and Stable Families funds. However, a number of program observers contend States have insufficient information upon which to design programs to address the wide range of challenges faced by families involved in or at risk of involvement in the child welfare system. For example, the intensive family preservation evaluation examined one service model to prevent abuse and neglect and found some evidence the program may be ineffective; however, that evaluation offered little guidance on how States might more effectively design such a program. Further, evaluations of core Promoting Safe and Stable Families program services have been unevenly distributed: family preservation has been the focus of many evaluations, while the three other categories have received little evaluative attention.

#### Section 106. Authorization of Appropriations; Reservation of Certain Amounts

##### Present Law

Specific mandatory appropriations are authorized for each of fiscal years 1994 through 2001, beginning with \$60 million in fiscal year 1994 and rising to \$305 million in fiscal year 2001.

Of these funds, specified amounts are reserved for research, training and technical assistance and for evaluation of any Federal, State, or local programs that advance specific purposes (\$2 million for fiscal year 1994 and \$6 million for each of fiscal years 1995 through 2001); State court improvement grants as authorized by Section 13172 of the Omnibus Budget Reconciliation Act of 1993 (\$5 million for fiscal year 1995 and \$10 million for each of fiscal years 1996 through 2001); and Indian tribes (1 percent of authorized amount).

#### Explanation of Provision

The legislation authorizes \$305 million in mandatory appropriations for each of fiscal years 2002 through 2006. Out of these funds, the Secretary is instructed to reserve specified amounts for evaluation of programs and for research, training, and technical assistance (\$6 million per year); State court improvements (\$10 million per year); and Indian tribes (1 percent of the specified authorization amount).

In addition to the mandatory funds described above, \$200 million is authorized to be appropriated for each of fiscal years 2002 through 2006. Of such additional funds that are appropriated, the legislation requires the Secretary to reserve 3.3 percent for evaluation, research, training, and technical assistance; 3.3 percent for State Court Improvements; and 2 percent for Indian Tribes. The remaining additional funds after these set-asides are to be allotted among States based on the formula provided for the mandatory funds. The bill also makes technical and conforming changes related to these authorization and set-aside changes.

#### Reason for Change

The Committee bill increases funding for the Promoting Safe and Stable Families program as requested by the President. The increased authorization for fiscal year 2002 marks the largest annual increase in the program since its enactment in 1993. These funds, \$70 million of which have already been provided for fiscal year 2002 by House-passed appropriations legislation, will begin to restore balance in the child welfare system, under which the vast majority of resources are aimed at maintaining children outside of their home. The proposed new funds would significantly expand support for services to prevent abuse and neglect and the removal of children from their homes. These increased resources also will work in concert with the ongoing Child and Family Service Reviews conducted by HHS to identify and address weaknesses in State and local child protection systems. The program has received incremental increases in mandatory appropriations since its enactment in 1993, such that total annual funds have grown from \$60 million in 1994 to \$305 million in 2001. The Committee bill would result in an additional \$1 billion in program support over five years, if appropriated at the authorized level. This provision also makes a technical change to locate set-asides and authorization language in a single section of Title IV-B of the Social Security Act.

The provision includes additional percentage set-asides for evaluation, research, training and technical assistance, State Court Improvements, and Indian tribes, applicable to the up to \$200 million in new annual funding that may be appropriated for each of fiscal years 2002 through 2006.

The percentages are designed, should the entire \$200 million in additional funds be appropriated each year, to support the full amount of funding sought for these purposes in the President's original proposal and reflected in H.R. 2873 as introduced. Should less than \$200 million be appropriated in any year, this approach will make additional funds available for these purposes on a sliding scale basis.

## Section 107. State Court Improvements

### Present Law

Entitlement funding for State court improvements is included in Section 430 of the Social Security Act while details concerning the purpose, requirements and allocation of these grants are included in Section 13712 of the Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66).

### Explanation of Provision

This provision amends the description of the State court improvement grants by providing that money is for assessment and implementation of "improvements," and specifies that those improvements are to provide for the safety, well-being, and permanence of children as set forth in the Adoption and Safe Families Act, and to implement corrective action plans, as necessary, resulting from the Children and Family Services reviews under Section 1132(a) of the Social Security Act.

The eligibility criteria for an allotment is amended by stating that a State Court must be conducting assessment and "improvement" activities. Continued State Court Improvement grants are authorized for fiscal years 2002 through 2006, and the heading requiring a non-federal match of 25 percent is renamed "Federal Share." Specific language related to the 1995 funding level is removed. The State Court Improvement program is relocated from the Omnibus Budget Reconciliation Act of 1993 to a new Section 437 of the Social Security Act.

### Reason for Change

Changes also are made to clarify that the intent of the State Court Improvement program is to (1) assist the State Courts in meeting the expectations of ASFA regarding the safety, well-being, and permanency of children in foster care; and (2) address any issues identified as needing corrective action to comply with Children and Family Services Reviews. Children and Family Services Reviews are comprehensive oversight and assessment activities of State and local child protection and child welfare programs performed by the Secretary. State Court Improvement programs have proved an important catalyst for collaboration between State agencies and the judicial branch toward the mutual goals of protecting children and promoting their well-being and permanent living arrangements.

Technical changes are made to co-locate the State Court Improvement program with the other related Promoting Safe and Stable Families sections of the Social Security Act.

## Section 121. Mentoring Children of Prisoners; Program Authorized

### Present Law

No provision.

### Explanation of Provision

The legislation authorizes a new program to fund grants for the mentoring of children of prisoners. Findings are included highlighting the fact that the number of children with a parent in Federal or State prison doubled in the 1990s. The Congress also finds that children often face difficulties associated with the stress and trauma of parental arrest and confinement. Further, research demonstrates that mentoring programs can have an impact on children's behavior. The legislation defines the purpose of the grants as to support the establishment or expansion of mentoring networks in areas with substantial concentrations of children of incarcerated parents. The legislation also defines terms used in this section, making clear that the mentoring programs are to be one-on-one matched relationships between adult volunteers and the children of those incarcerated in a Federal, State, or local correctional facility.

The Committee bill authorizes grants for fiscal years 2002 through 2006, with a maximum individual grant of \$5 million. State or local government entities, community-based or faith-based organizations, and Indian tribes or tribal consortia are eligible to apply for a grant under this program. Applicants are required to provide certain information concerning the design of the program, public and private entities consulted or participating in the mentoring network, and records and reports required by the Secretary for the purpose of evaluating the program. The Federal share of funding for the grants is capped at 75 percent in the first two years of the grant and 50 percent in the remaining years of the grant.

The Secretary is required to consider the qualifications and capacity of applicants to carry out the program effectively, the consultation with existing youth and family service programs, as well as the comparative severity of need in the area where the applicant will operate the program. The Secretary also is required to evaluate the program and report any findings to the Congress by April 15, 2005. The legislation authorizes \$67 million for this program for each of fiscal years 2002 and 2003, and such sums as may be necessary for each succeeding fiscal year; 2.5 percent of the funds authorized are to be reserved by the Secretary for conducting evaluations of the program.

### Reason for Change

This initiative was a priority sought by the President in his fiscal year 2002 budget. The Committee bill creates a new program to provide children of prisoners with supportive adult mentoring relationships. The number of individuals incarcerated as well as the number of children of incarcerated individuals has increased substantially in recent years, and the children of prisoners

often face particular challenges. While the needs of these children and their communities are complex, the Committee finds that mentoring networks like the Amachi program in Philadelphia, Pennsylvania have had a remarkable impact both on the children they serve and the community at large by bringing people together to address the needs of families affected by incarceration.

## TITLE II. FOSTER CARE AND INDEPENDENT LIVING

### Section 201. Educational and Training Vouchers for Youths Aging Out of Foster Care

#### Present Law

The Chafee Foster Care Independence Program (CFCIP) established under Title IV-E of the Social Security Act seeks to identify and assist children likely to remain in foster care until the age of 18. The \$140 million entitlement grant program to the States includes among its purposes to assist these youth in making the transition to self-sufficiency by providing help in obtaining a high school diploma, postsecondary education or vocational training, job placement and retention services, training in daily living skills and financial affairs, and other appropriate support services. States must submit a plan to the Secretary describing how services will be provided to this population and make certain certifications including that no more than 30 percent of grant funds are to be used for room and board.

State allotments are based on the State's share of the nation's foster care population and minimum grant amounts are set at \$500,000. Funds, provided quarterly, must not supplant other available State funds for these purposes. States also must provide a 20 percent match on all funds received. Each annual allotment is to remain available for expenditure by the State for up to two fiscal years.

#### Explanation of Provision

The Committee bill creates a new discretionary grant program to provide for education vouchers for youths aging out of foster care. The legislation expands upon the purposes of the CFCIP to include making vouchers available for postsecondary training and education to youths who have aged out of foster care. It also describes several requirements under the program, including that youths age 16 and over (and up to age 23 at State option) are eligible for vouchers in amounts of up to \$5,000 per year or the cost of the education or training program, whichever is less. The value of a voucher may not be counted in determining financial eligibility for other forms of Federal assistance. However, agencies must take steps to prevent duplication of benefits under this or any other Federal or Federally supported program. The legislation also requires State certifications under CFCIP to include demonstrations of State efforts to avoid duplication of benefits and to ensure that no more than the cost of attendance in the training or education program is supported through the voucher.

The Committee bill authorizes the education voucher program as a separate discretionary appropriation of \$60 million in each of fiscal years 2002 through 2006. The formula for allotting

the State shares under the education voucher program is the same as the formula under the CFCIP. However, there is no minimum grant provision per State as in the underlying CFCIP.

#### Reason for Change

The Committee remains concerned by the challenges facing youth who age out of the foster care system without a permanent home. Previous legislation sponsored by the Committee doubled funding for services specifically to assist this population. The provision of education vouchers, as proposed by the President in his fiscal year 2002 budget and provided under the Committee bill, will further support these youth.

### Section 202. Reallocation and Extension of Funds

#### Present Law

No provision.

#### Explanation of Provision

The legislation provides the Secretary with authority to reallocate CFCIP funds for which States did not apply to other States on the basis of need, as determined by the Secretary. The legislation also provides for a temporary expansion of the rule that States must spend program funds within 2 years, permitting States to spend fiscal year 2000 funds in 2000, 2001 or 2002.

#### Reason for Change

The Committee bill restores a provision inadvertently dropped during the 1999 reauthorization of the program allowing unused CFCIP funds to be reallocated to other States, ensuring the maximum availability of funds authorized by the program. The Committee also provides an additional one-year extension in the availability of fiscal year 2000 funds, allowing States to use these funds in fiscal years 2000, 2001, or 2002. This change is designed to accommodate States' need to expand programs in accordance with the large increases in funds provided in fiscal year 2000.

### TITLE III. EFFECTIVE DATE

#### Section 301. Effective Date

#### Present Law

Not applicable.

#### Explanation of Provision

Except as provided below, amendments made by the Committee bill take effect upon enactment. If the Secretary determines that enactment of State legislation (other than appropriations) is needed for a State's Title IV-B or IV-E plan to comply, the plan will not be considered out of compliance on that basis until after completion of the first regular session of the State legislature (or the first year of a two-year legislative session) that begins after enactment of this Act.

#### Reason for Change

States are provided ample time to make any necessary changes to State laws to comply with the Committee bill.

### **III. VOTES OF THE COMMITTEE**

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following statements are made concerning the votes of the Committee on Ways and Means in its consideration of the bill, H.R. 2873.

#### **MOTION TO REPORT THE BILL**

The bill, H.R. 2873, as amended, was ordered favorably reported by voice vote (with a quorum being present).

#### **VOTES ON AMENDMENTS**

A roll call vote was conducted on the following amendment to the Chairman's amendment in the nature of a substitute.

An amendment by Mr. Cardin providing mandatory funding for the Safe and Stable Families Program increases and education vouchers was defeated by a roll call vote of 14 yeas to 20 nays. The vote was as follows:

Representatives	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Thomas.....		X		Mr. Rangel.....			
Mr. Crane.....		X		Mr. Stark.....	X		
Mr. Shaw.....		X		Mr. Matsui.....	X		
Mrs. Johnson.....		X		Mr. Coyne.....	X		
Mr. Houghton.....				Mr. Levin.....	X		
Mr. Herger.....		X		Mr. Cardin.....	X		
Mr. McCrery.....				Mr. McDermott.....	X		
Mr. Camp.....		X		Mr. Kleczka.....			
Mr. Ramstad.....		X		Mr. Lewis (GA).....	X		
Mr. Nussle.....		X		Mr. Neal.....	X		
Mr. Johnson.....		X		Mr. McNulty.....			
Ms. Dunn.....				Mr. Jefferson.....	X		
Mr. Collins.....		X		Mr. Tanner.....	X		
Mr. Portman.....		X		Mr. Becerra.....	X		
Mr. English.....		X		Mrs. Thurman.....	X		
Mr. Watkins.....		X		Mr. Doggett.....	X		
Mr. Hayworth.....		X		Mr. Pomeroy.....	X		
Mr. Weller.....		X					
Mr. Hulshof.....		X					
Mr. McInnis.....							
Mr. Lewis (KY).....		X					
Mr. Foley.....		X					
Mr. Brady.....		X					
Mr. Ryan.....		X					



## **IV. BUDGET EFFECTS OF THE BILL**

### **A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS**

In compliance with clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the following statement is made:

The Committee agrees with the estimate prepared by the Congressional Budget office (CBO) which is included below.

### **B. STATEMENT REGARDING NEW BUDGET AUTHORITY AND TAX EXPENDITURES**

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee states that the Committee bill results in direct spending of \_\_\_\_\_ over 5 years and a decrease in revenues of \_\_\_\_\_ over 5 years. This amount is accommodated by the allocation to the Committee under the Budget Resolution.

### **C. COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE**

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives requiring a cost estimate prepared by the Congressional Budget Office (CBO), the following report prepared by CBO is provided.

{insert cost estimate }

## **V. OTHER MATTERS REQUIRED TO BE DISCUSSED UNDER THE RULES OF THE HOUSE**

### **A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS**

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Subcommittee reports that the need for this legislation was confirmed by the oversight hearings of the Subcommittee on Human Resources. The hearings were as follows:

The Subcommittee on Human Resources held a hearing on May 10, 2001 (Serial 107-18) to receive comments on the reauthorization of the Promoting Safe and Stable Families program. Testimony at the hearing was presented by program administrators, advocates, researchers, and Members of the U.S. House of Representatives. The Subcommittee also conducted a hearing on July 11, 2001 (Serial 107-36) on the President's budget proposals, which included testimony from the Administration on the proposals included in H.R. 2873 as approved by the Committee.

### **B. SUMMARY OF GENERAL PERFORMANCE GOALS AND OBJECTIVES**



CONGRESSIONAL BUDGET OFFICE  
U.S. CONGRESS  
WASHINGTON, DC 20515

IV.C.

Dan L. Crippen  
Director

November 6, 2001

Honorable William "Bill" M. Thomas  
Chairman  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2873, the Promoting Safe and Stable Families Amendments of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Christina Hawley Sadoti, who can be reached at 226-2820.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dan L. Crippen".  
Dan L. Crippen

Enclosure

cc: Honorable Charles B. Rangel  
Ranking Democrat



CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE

November 6, 2001

**H.R. 2873**  
**The Promoting Safe and Stable Families Amendments of 2001**

*As ordered reported by the House Committee on Ways and Means  
on October 31, 2001*

**SUMMARY**

H.R. 2873 would extend the Promoting Safe and Stable Families (PSSF) program through fiscal year 2006. PSSF expired at the end of fiscal year 2001. Relative to current law, extending this program would cost \$305 million each year. However, under the rules governing baseline projections, the costs of extending PSSF and other large entitlement programs are assumed in CBO's estimates of baseline spending. Consequently, enacting H.R. 2873 would have no effect on direct spending relative to the baseline. Nevertheless, pay-as-you-go procedures apply to the bill.

The bill also would authorize discretionary grants for additional spending for PSSF from 2002 through 2006, and would permanently authorize grant programs that would provide mentoring services to children of prisoners and educational and training vouchers for youth leaving foster care. Assuming appropriation of the authorized amounts, CBO estimates that making such grants would cost about \$1.2 billion over the 2002-2006 period and \$2.2 billion from 2002 through 2011.

H.R. 2873 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The grant programs authorized by the bill would require matching commitments, and CBO estimates that state spending to fulfill those requirements would total about \$760 million over the 2002-2006 period.

## ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 2873 is shown in the following table. The cost of this legislation falls within budget function 500 (education, training, employment, and social services).

	By Fiscal Year, in Millions of Dollars				
	2002	2003	2004	2005	2006
<b>SPENDING SUBJECT TO APPROPRIATION</b>					
PSSF Discretionary Grants (Section 106) <sup>a</sup>					
Authorization Level	200	200	200	200	200
Estimated Outlays	16	116	166	186	196
Mentoring Children of Prisoners (Section 121)					
Estimated Authorization Level	67	67	69	71	73
Estimated Outlays	5	47	59	68	71
Foster Care, Independent Living Education Vouchers (Section 201)					
Authorization Level	60	60	60	60	60
Estimated Outlays	9	45	60	60	60
Total Authorizations of Appropriations					
Estimated Authorization Level	327	327	329	331	333
Estimated Outlays	30	208	285	314	327

<sup>a</sup> The costs of extending the entitlement program for PSSF at the level of \$305 million per year are assumed in CBO's baseline projection of spending under current law. Thus, reauthorizing PSSF at this level would have no effect on direct spending relative to the baseline.

## BASIS OF ESTIMATE

For this estimate, CBO assumes that H.R. 2873 will be enacted by December 1, 2001, and that the authorized amounts will be appropriated for each year. In estimating outlays of the appropriated amounts, CBO relied on past spending patterns of similar programs.

## Direct Spending

H.R. 2873 would extend PSSF grants through 2006 at \$305 million annually. These grants are considered entitlements to states, and are available for services that provide community-based family support, family reunification, and adoption promotion. Although PSSF expired at the end of fiscal year 2001, the costs of the program are assumed in the baseline according to the rules established by the Balanced Budget and Emergency Deficit Control Act. Therefore, extending PSSF at this level would not increase direct spending relative to CBO's baseline projections.

## Spending Subject to Appropriation

H.R. 2873 would authorize discretionary grants totaling \$2.3 billion over the 2002-2011 period. Assuming appropriation of the authorized amounts, CBO estimates that enacting this bill would increase discretionary outlays by \$30 million in fiscal year 2002 and by \$2.2 billion over the 2002-2011 period. In addition to the \$305 million in entitlements to states (discussed under the direct spending section of this estimate), H.R. 2873 would authorize the appropriation of \$200 million in each of fiscal years 2002 through 2006 for PSSF grants. The bill would also authorize new grants in the amount of \$67 million for fiscal years 2002 and 2003, and such sums as may be necessary in following fiscal years, for competitive grants aimed at providing mentoring services to children of incarcerated parents. For the purpose of this estimate, CBO has assumed that the authorization for years after 2003 is equal to the 2003 authorization adjusted for inflation. (Without adjustment for inflation, outlays over the 2002-2011 period would be \$0.1 billion less.) Finally, the bill would permanently authorize \$60 million each year for educational and training vouchers that would be made available for youth who become too old to qualify for foster care, and for youth who are adopted from foster care after attaining age 16.

## PAY-AS-YOU-GO CONSIDERATIONS

The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. Such procedures apply to H.R. 2873 because it would extend PSSF, a direct spending program. However, because that spending is already included in baseline projections, no additional cost would be recorded for pay-as-you-go purposes.

## **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS**

H.R. 2873 contains no intergovernmental mandates as defined in UMRA. The bill would extend and expand a number of grants to state, local, and tribal governments, the most significant of which would be grants for promoting safe and stable families. After accounting for amounts reserved for use by the Secretary of Health and Human Services, CBO estimates that federal outlays for grants to tribal governments would total about \$30 million, and for grants to state governments, about \$2.1 billion, over the 2002-2006 period. The grants to tribal governments would have no matching requirements, but the grants to states would require about \$700 million in state matching funds. The bill also would authorize grants to states for educational vouchers to youth who have moved out of the foster care system and who are attending post-secondary schools. CBO estimates that federal grants to states for this purpose would total \$234 million over the 2002-2006 period and that states would provide about \$60 million in matching funds over the same period.

The bill would also authorize grants to public and private entities for mentoring programs that target children who have a parent in prison. State, local, and tribal governments, as well as private entities, could qualify for those grants. Recipients would have to match federal funds with either in-kind or cash support totaling 25 percent of the program's resources in the first two years and 50 percent thereafter.

## **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

This bill contains no private-sector mandates as defined in UMRA.

### **ESTIMATE PREPARED BY:**

Federal Spending: Christina Hawley Sadoti (226-2820)

Impact on State, Local, and Tribal Governments: Leo Lex (225-3220)

Impact on the Private Sector: Ralph Smith (226-2960)

### **ESTIMATE APPROVED BY:**

Robert A. Sunshine

Assistant Director for Budget Analysis

In compliance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee states that legislation reauthorizes and makes improvements to the Promoting Safe and Stable Families program, the primary Federal resource for services to prevent child abuse and neglect; creates a competitive grant program to establish and expand networks of mentoring services for the children of prisoners; and creates an education voucher program for youth aging out of foster care.

#### C. CONSTITUTIONAL AUTHORITY STATEMENT

In compliance with clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, relating to Constitutional Authority, the Committee states that the Subcommittee's action in reporting the bill is derived from Article I of the Constitution, Section 8 ("The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and to provide for \* \* \* the general Welfare of the United States \* \* \*").

#### D. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with Section 423 of the Unfunded Mandates Reform Act of 1995 (P.L. 104-4).